IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 4372 of 2005

Between:

P.Vijaya, w/o B.Subrahmanyam,
r/o Kandadu Village, Yerpedu Mandal, Chittoor District.

..... PETITIONER

AND

1 The District Collector, Chittoor District, Chittoor.
2 The Revenue Divisional officer, Tirupathi, Chittoor District.
3 The Mandal Revenue Officer, Yerpedu Mandal, Yerpedu, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in not releasing the stocks by issuing the release order to the petitioner for distribution of the essential commodities to the card holders, as highly illegal arbitrary and consequently direct the respondents to release the stocks to the petitioner for distribution to the card holders for F.P. Shop of Kandadu Village, Yerpedu Mandal and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.N.M.KRISHNAIAH

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

***ORAL ORDER*:**

Heard both sides. Perused the material placed before me.

The only grievance of the petitioner in this writ petition is that despite subsistence of a valid authorisation in his favour, no stocks are being supplied to the fair price shop of the petitioner.

In a similarly situate case, a learned single judge of this Court, basing on a decision rendered by the Full Bench of this Court in *OLETI TIRUPATHAMMA vs. DISTRICT SUPPLY OFFICER (CITY) VISAKHAPATNAM AND OTHERS* disposed of the Writ Petition No. 16014 of 2004 on 23-9-2004, observing as under:

> *'In the light of the ratio laid down by the Full Bench in the above decision, the Writ Petition is disposed of with a direction to the respondents to supply the essential commodities to the petitioner in case the petitioner is holding a valid authorisation and the same is neither suspended nor cancelled as on today. It is made clear that this shall not preclude the respondents to initiate appropriate proceedings against the petitioner if the circumstances so warrant, following due process of law'.*

In that view of the matter, since the facts in the present Writ petition and the facts stated in Writ petition No. 16014 of 2004 are almost similar, this writ petition is also disposed of, at the stage of admission, in terms of the observations made above in writ petition No. 16014 of 2004. No costs.

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kvsn 07-03-2005

To

1 The District Collector, Chittoor District, Chittoor.
2 The Revenue Divisional officer, Tirupathi, Chittoor District.
3 The Mandal Revenue Officer, Yerpedu Mandal, Yerpedu, Chittoor District.

4 Two copies to the GP for Civil Supplies, High Court buildings, Hyderabad.

5 Two CDs.